**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION NO.471 OF 2006**

Buddhadev Harendranath Ghosh ...Petitioner

V/s.
The Municipal Corporation of
Gr.Mumbai & Anr. ...Respondents

None for Petitioner.
Ms.A.R. Joshi for BMC/Respondents.

**CORAM : V.M. KANADE, J.**
**DATED : 19th JUNE, 2007.**

**P.C:-**

1. None appears on behalf of the Petitioner. Issue raised in this petition is no longer res integra in view of judgment passed by this Court in Writ Petition No.2496 of 2004 (**CORAM: F.I. REBELLO, J.)** dated 30th September, 2004. Copy of this order and judgment is annexed to this petition. Ratio of the said order and judgment squarely applies to the facts of the present case. Therefore, Rule is made absolute in terms of prayer clause(a).

2. However, it will be open to the Respondents, if so advised

and in terms of what is stated in the judgment in Writ Petition No.2496 of 2004, to issue a proper notice and pass an appropriate order after complying with the necessary requirements of giving personal hearing and pass appropriate order in accordance with law.

. Writ Petition is disposed of in the above terms.

**V.M. KANADE, J.**